

PLANNING COMMISSION MINUTES

October 23, 1990

Present: Chairman Cheryl Okubo, Kathi Izatt, Jeff Chretien, Elaine McKay, Dick Drescher, Mick Johnson, Mike Holmes; Les Foy, City Council Rep.; Jon Reed Boothe, Planning Director

Excused: Berwyn Andrus

Invocation: Mick Johnson

Minutes of October 16, 1990 were unanimously approved as written.

Conditional Use:

10-23-90.5A 90-10C Sky Properties, 157 So. 500 W., Automotive
Muffler Shop, Automotive Tune-Up Shop, Fast Food Sandwich Shop;
Steve Smoot & Scott Kjar, Rep.

There will be two buildings on this site, with the larger building housing two automotive related businesses, Meineke Muffler and Precision Tune. The other building will be Blimpie's Sandwiches with a drive-thru. There is an additional 1440 sq. ft. space yet to lease.

Staff recommends approval subject to the following conditions:

1. The existing sewer line must be located, marked, and inspected;
2. Payment of the culinary water fee;
3. Site drainage plan, curbs and gutters are acceptable and the storm detention basin meets city requirements;
4. Building plans to comply with the Uniform Building Code;
5. County health approval required for the restaurant before issuing a permit;
6. A 7 ft. wide easement is required along the front property line, and utility easements required by Power Dept.;
7. Solid concrete fence 6 ft. high on the residential property side to be installed along east property line abutting the residential zone;
8. Landscape bond to be posted in the amount of 5% of the building valuation, or \$5,000, whichever is greater; a detailed landscape and sprinkler plan also to be provided;
9. Power pole to be removed or relocated with approval from the Power Dept., at the owner's expense;
10. SE corner fence to be worked out with staff to solve the problem of light control. This to be on property owner's property unless staff can work with the developers and adjacent property owners to create a less expensive, effective method of blocking the light, unless it is determined that it is not necessary;
11. Trash receptacle to be screened with same material as used in building construction.
12. Roof mounted mechanical equipment, if any, to be screened from public view. This condition is required by ordinance;

13. Obtain a business license before opening for business.

Some of the concerns of the people attending this hearing were: noise from the muffler shop (the masonry fence should buffer the sound) ; trees (trees will be planted along the rear property line) ; lighting (there will be parking lot lights and each tenant will probably have some floodlights, but they will be on a timer and will automatically shut off at a late hour); the fence was discussed at great length with the residential neighbors wanting a higher than 6 ft. fence (ordinance allows a maximum height of 7 ft. on commercial property). Since there will be some berming and a planter installed along the fence line, the height will be closer to 7 ft.

It was suggested that a chainlink fence with slats should be continued along the south property line 20 or 30 ft. to stop car lights from shining on residential properties that would not have the protection of the back fence. There is a chainlink fence there now. Also, outdoor speakers from fast food restaurants can be heard late at night. (At this time Blimpie's has no intention of installing a speaker). If at some future time this becomes a problem to the neighbors, it would be brought before the Planning Commission for resolving the issue.

Les Foy made a motion to approve the Conditional Use permit for the automotive muffler shop, automotive tune-up shop, and fast food sandwich shop at 157 So. 500 W. , subject to the conditions outlined by staff, and working with staff to eliminate headlights shining onto residential property from the SE corner, if there is a problem. Kathi Izatt seconded the motion; Mike Holmes abstained; approval was by majority vote.

City Manager Tom Hardy talked about the RDA in Bountiful.

Bountiful Redevelopment began in 1977-78. A survey was made and a map prepared with areas that ought to be redeveloped, including 400 North to 500 South, 100 West to 100 East, the 5th South corridor, the 500 West corridor, and the Highway 89-91 corridor. Another area covered by the RDA is 5 Pts. Mall.

A redevelopment agency cannot levy taxes. The only revenues available for an RDA is from tax increments. This is the difference in value between what a property is valued at the time the agency is set up (base year, established by the County Assessor) and what growth in value occurs as a result of development.

The Bountiful RDA began acquiring property downtown. The first property was on 3rd North and Main. Under the Redevelopment Law, cities can acquire property by purchase through negotiation, or eminent domain which gave power to condemn property. Of the 14 properties acquired, only one was acquired through eminent domain. The RDA has 100 acres in the redevelopment area.

In 1983 the legislature, besides limiting the RDA to 100 acres, limited the power of eminent domain to 7 yrs. from the date it went into law (April 1983). This ran out in Bountiful in April, 1990. We can no longer acquire property through eminent domain. The only way it can be done now is voluntary purchase. Also, legislation passed that the property cannot be kept off the tax

rolls indefinitely. Tax increment can be taken for a certain period of time under certain terms and conditions. For the first 5 yrs. after forming an RDA, 100% of the added value put back on the tax rolls can be taken. After 5 yrs., 80% may be taken with the other 20% going back to the school districts, the Misquito Abatement Districts, the County, etc. After 5 more years, 75% may be taken, and 25% for the districts and so on. It eventually phases down to 50/50 at the end of 25 yrs., then is taken off the tax rolls completely. At that time the RDA ceases to exist.

Meeting adjourned at 9:30 PM.